

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 10111 of 2005

Between:

M.V. Rao S/o M. Rajeswara rao E. NO. 251020
R/o 1-95, L.B. nagar, Danapur, Hyderabad

..... PETITIONER

AND

Andhra Pradesh State Road Transport Corporation, Picket Depot, Secunderabad
rep by Depot Manager

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or Writ more particularly one in the nature of Writ of Mandamus or any other appropriate Writ declaring the proceedings of the Respondent in issuing the suspension order NO. 02/95(4)/05-PKT dated 2-4-2005 and also the Charge Sheet No. 02/95 (4)/05-PKT, dt 2-4-2005 as illegal, arbitrary and unjust and consequently direct the Respondent to reinstate the petitioner into service with all consequential benefits.

Counsel for the Petitioner:MR.B.SHIVA KUMAR

Counsel for the Respondent: MR.V.T.M.PRASAD (S.C.FOR APSRTC)

The Court at the admission stage made the following O R D E R:

The petitioner questions the action of the respondent in issuing the suspension order dated 02.04.2005 and charge sheet dated 02.04.2005 as illegal and arbitrary.

Learned counsel for the petitioner contended that the duties discharged by the petitioner are purely different from that of the duties assigned by the authorities. Hence the petitioner cannot be found fault with and prays to set aside the same.

Heard the learned counsel for the respondents.

Normally, this Court will not interfere with the suspension pending enquiry unless the *mala fides* are attributed against the authority or the authority who passed the order lacks jurisdiction. Hence, without going into merits of the case, the writ petition is disposed of directing the respondents to complete the enquiry within a period of three months from the date of receipt of a copy of this order. No order as to costs.

(K.C.BHANU,J)

Dt:28th April, 2005

usd

To

1. The Depot Manager, Andhra Pradesh State Road Transport Corporation,
Picket Depot, Secunderabad.

2 2 CD copies

3 1 CC to MR.SHIVA KUMAR

*Form-NIC-OGS/WP{**TRT**}*